

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Kris Daniel Lebsock,

Case No.: 2:22-cv-01082-JAD-EJY

Plaintiff

V.

General Motors, et al.,

Defendants

Order Granting Motion to Extend Time

[ECF No. 40]

Pro se plaintiff Kris Lebsock sues General Motors (GM), its CEO Marry Barra, its chief engineer Tadge Juechter, and its Chevrolet division for using his designs and ideas in GM's line of Corvette sports cars "without compensation or recognition" for him.¹ Last month I granted defendants' motion to dismiss Lebsock's complaint, finding that he failed to state any claims in his complaint. I denied Lebsock's motion for leave to amend his complaint.² His deadline to do so was March 7, 2018. But instead of filing an amended complaint, Lebsock filed a "motion for expedited consideration of this motion for an extension of time to file an amended complaint and to respond to the court's judgments and orders."³ He explains that he has a "current, serious, cardiac medical condition" that is preventing him from working on this case, and he asks for more time to file an

¹ ECF No. 4 at 4.

2 ECF No. 39.

23 | ³ *Id.* at 12.

⁴ ECF No. 40 at 1 (cleaned up).

1 amended complaint.⁵ He also asks that I “reconsider putting a pause on this case for medical
 2 reasons.”⁶

3 I find good cause to extend Lebsock’s deadline to file his second-amended complaint by
 4 90 days due to his representations about his medical condition. But I do not find cause to
 5 reconsider my order denying his request for a stay. In my prior order, I explained that, because
 6 Lebsock did “not explain what condition he has or why meeting court deadlines in a lawsuit that
 7 he filed constitutes a high-stress situation,” he “thus failed to establish a case for hardship” that
 8 would warrant a stay.⁷ In his motion to extend time, Lebsock elaborates on his condition and
 9 specific instances in which he believes that the stress from working on this case contributed to
 10 his symptoms.⁸

11 But Lebsock still fails to identify a condition that would completely prohibit him from
 12 complying with the rules and procedures for prosecuting this action. As I advised Lebsock in my
 13 previous order, prosecuting a civil lawsuit in this court comes with many obligations and
 14 responsibilities that must be satisfied in order for this judicial system to function, and if he
 15 desires to pursue his claims, he must proceed according to this court’s rules and deadlines. If
 16 Lebsock feels that he is unable to pursue his claims at this time, he can ask the defendants to
 17 stipulate to allow him to voluntarily dismiss this case without prejudice to its refiling when he is
 18 able to devote the time and attention that he believes his case deserves. Of course, Lebsock
 19 alone remains responsible for being aware of any applicable statutes of limitations that may
 20 affect his ability to refile this suit at a future date.

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 22 ⁵ *Id.* at 1.

23 ⁶ *Id.* at 3.

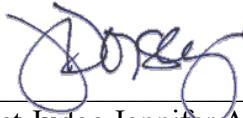
⁷ ECF No. 39 at 10.

⁸ *See generally* ECF No. 40 at 1–2.

1 Lebsock also notes that he has finished portions of his amended complaint and states that
2 he will file “what [he] ha[s]” by March 9, 2023.⁹ Lebsock is reminded that any amended
3 complaint he files will replace his existing amended complaint in its entirety, so the new
4 complaint must be complete in itself. He should not file mere portions of his amended
5 complaint. Rather, he should wait to file any documents labeled as a second-amended complaint
6 until he has included all of the facts and causes of action that he wishes to pursue against the
7 defendants, consistent with this court’s prior order. And he now has until June 7, 2023, to do so.

8 **Conclusion**

9 IT IS THEREFORE ORDERED that Lebsock’s motion to extend time to file his second-
10 amended complaint [ECF No. 40] is **GRANTED in part**. If Lebsock chooses to proceed with
11 this case, he must file a second-amended complaint that complies with this court’s previous
12 instructions **by June 7, 2023**. If Lebsock does not file a second-amended complaint by June 7,
13 2023, this case will be dismissed with prejudice and closed without further prior notice.

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U.S. District Judge Jennifer A. Dorsey
March 8, 2023

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